

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	No. 3:09-CR-64
V.)	(PHILLIPS/GUYTON)
)	
WENDY VANCE,)	
)	
Defendant.)	

ORDER CONTINUING PRETRIAL RELEASE

The above-named defendant appeared before the undersigned on March 5, 2010, for a hearing on a Petition for Action on Conditions of Pretrial Release (“the Petition”) [Doc. 208]. Assistant United States Attorney Melissa Millican was present representing the government. Attorney Donny Young was present representing the defendant.

The defendant Vance was placed on pretrial release in August, 2009, pursuant to an Order [Doc. 104] of this Court. The defendant’s release was subject to certain conditions, including but not limited to, the following: that she participate in a program of substance abuse therapy and counseling at The Foundry Rescue Mission and Recovery Center in Bessemer, Alabama (“The Foundry”).

In the Petition, United States Probation Officer Rhonda Monger Lay (“Lay”) states that the defendant Vance self-reported to The Foundry the consumption of a beer on February 12, 2010. An alcohol screen, however, was negative. Therefore, Vance’s self-report was the only evidence against her. The Court credits her for the self-report.

However, the alcohol use violated the rules of The Foundry. The Foundry suspended her from its program, and she is not eligible to return to The Foundry until March 18, 2010.

At the hearing, Vance did not dispute the allegations of the Petition. She testified that she wants to return to the program and complete it.

The Court finds that the defendant Vance violated Condition 8(p) of her conditions of release. The Court finds, however, that the violation was minor and was self-reported.

Accordingly, the Order Setting Conditions of Release [Doc. 104] **REMAINS IN EFFECT.**

IT IS SO ORDERED.

ENTER:

s/ H. Bruce Guyton
United States Magistrate Judge